

## Message Text

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FOL STATE 027909 SENT ACTION MONTREAL INFO USUN TEL AVIV  
FEB 6; REPEATED TO YOU QUOTE

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MONTREAL FOR USREP ICAQ

E.O. 11652: N/A  
TA : PORG, PINS, EAIR, ICAO  
SUBJECT: ICAO - STRENGTHENING OF MEASURES FOR COUNTERING  
UNLAWFUL INTERFERENCE

REFERENCES: A. MONTREAL 216, B. STATE 18032;  
C. STATE 18033; D. STATE 22355; E. STATE 23420;  
F. STATE 25213; G. MONTREAL 202; H. PARIS 2528;  
I. TOKYO 1516; J. MEXICO 1071; K. STOCKHOLM 602;  
L. LONDON 1643; M. MOSCOW; N. BELGRADE 490; O. B  
NN 1981;  
P. NEW DELHI 1671; G. OTTAWA 393; R. JAKARTA 1558.

1. THIS MESSAGE PROVIDES GUIDANCE TO U.S. REPRESENTATIVE  
TO ICAO ON APPROACH U.S. WISHES TO TAKE NOW IN ICAO WITH  
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VIEW TOWARD STRENGTHENING MEASURES FOR COUNTERING UNLAWFUL

INTERFERENCE.

2. FYI. FORTHRIGHT STATEMENTS FROM ARAB CAPITALS AND PLO CONDEMNING ONLY ATTACKS MAY PRESENT OPPORTUNITY IN WHICH INTERESTS OF ALL IMPORTANT ICAO COUNCIL MEMBERS MAY NOW CONVERGE IN FAVOR OF ESTABLISHING STRICTER INTERNATIONALLY SANCTIONED MEASURES INTENDED TO FORECLOSE POSSIBILITIES FOR UNLAWFUL INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION. WE WISH TO TAKE MAXIMUM ADVANTAGE OF PRESENT OPPORTUNITY TO ACCELERATE AND DEEPEN ICAO WORK ON THIS PROBLEM, PROCEEDING ALONG TECHNICAL PATH OF UPGRADING EXISTING ICAO RECOMMENDED PRACTICES AND INTRODUCING NEW INTERNATIONAL AGREED STANDARDS AND RECOMMENDED PRACTICES. IN TAKING THIS PATH, WE WISH TO INSPIRE QUIET TECHNICAL ACCOMPLISHMENTS BY ICAO, AND TO DEFLECT POLITICALIZATION OF PROBLEM. WE INTERPRET SIGNALS FROM ARAB CAPITALS (AND PLO) TO SIGNIFY THAT THEY WOULD BE IN AGREEMENT WITH THIS APPROACH. WE FEEL THAT ICAO, PROCEEDING THROUGH MACHINERY OF COMMITTEE ON UNLAWFUL INTERFERENCE WITH TERMS OF REFERENCE IT HAS, IS EMINENTLY WELL SUITED TO ADDRESS PROBLEM IN THIS WAY. WE DO NOT SEEK HIGH VISIBILITY RESPONSE FROM ICAO TO RECENT ATTACKS ON INTERNATIONAL CIVIL AVIATION, BUT RATHER EFFECTIVE, DEEPENED TECHNICAL UNDERTAKINGS TO MAKE SUBSEQUENT ATTACKS LESS POSSIBLE. AS EL AL AIRCRAFT WAS TARGET OF RECENT ATTACK, ISRAEL UNDERSTANDABLY HAS REACTED WITH PROPOSAL TO COUNCIL TO CONSIDER ONLY EVENTS. U.S. SUPPORTS HAVING ORGANIZATION DO SO, BUT BELIEVES PROBLEM IS MORE GENERALLY SHARED ONE, AND REGARDS ONLY EVENTS AS ONLY PART OF PROBLEM. END FYI.

3. REFTELS B THROUGH F AMPLIFY APPROACH U.S. WISHES TO TAKE, AND TO INDUCE ICAO COUNCIL TAKE, ON THIS SUBJECT. REFTELS G THROUGH R REFLECT GENERALLY FAVORABLE INITIAL REACTIONS TO THIS APPROACH. WE WISH TO SHARE OUR VIEWS ON THIS WITH COUNCIL PRESIDENT, OBTAINING HIS REACTIONS AND RECOMMENDATIONS, AND TO ENCOURAGE SUPPORT AMONG COUNCIL MEMBERS. AGAINST BACKGROUND SET OUT IN REFTELS, IN CONSULTATIONS WITH COUNCIL PRESIDENT AND OTHER COUNCIL REPRESENTATIVES, U.S. REPRESENTATIVE SHOULD EXPLAIN ALONG FOLLOWING LINES APPROACH WE PROPOSE ICAO NOW TAKE:

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(A) STATEMENTS BY GOVERNMENTS IN RESPONSE TO RECENT EVENTS HAVE SHOWN THAT PROBLEM IS PAINFUL ONE FOR ALL, AND, TOGETHER WITH OUR SOUNDINGS IN CAPITALS, ENCOURAGES US TO BELIEVE THAT GOVERNMENTS OF ALL COUNCIL MEMBERS ARE DISPOSED TO PROCEED WITH STRENGTHENING OF INTERNATIONAL MEASURES.

(B) CONTINUING DEFICIENCIES IN EXISTING MEASURES FOR COUNTERING UNLAWFUL INTERFERENCE HAVE BEEN ILLUSTRATED IN ACTS WHICH HAVE OCCURRED DURING PAST YEAR WHILE ORGANIZATION HAS BEEN BRINGING NEW ANNEX 17 INTO EFFECT. WHILE ONLY INCIDENTS HAVE POINTED UP PROBLEM WITHIN PAST MONTH, WE FEEL ICAO REVIEW NEEDS TO PROCEED IN LIGHT OF ALL RECENT INCIDENTS. WE PREFER, THEREFORE, THAT ISRAELI INITIATIVE BRINGING ONLY INCIDENTS TO ATTENTION OF COUNCIL BE SUBSUMED UNDER A BROADER STUDY.

(C) OBJECTIVE OF BROAD STUDY SHOULD BE TO IDENTIFY THOSE EXISTING PROVISIONS WHICH SHOULD BE STRENGTHENED BY UP-GRADING, AND TO IDENTIFY NEW MEASURES WHICH MIGHT BE INCORPORATED INTO STANDARDS AND RECOMMENDED PRACTICES. WE HOPE COUNCIL WILL AGREE TO GIVE HIGH PRIORITY TO THIS TASK. WHILE WE WISH TO SEE WORK ACCELERATED, HOWEVER, WE FEEL STUDY SHOULD BE CARRIED OUT ON SYSTEMATIC TECHNICAL BASIS WITHIN ESTABLISHED MACHINERY.

(D) BEST PROCEDURE, IN OUR VIEW, FOR SETTING SUCH STUDY IN MOTION WOULD BE FOR COUNCIL (I) TO AGREE TO TAKE UP ON URGENT BASIS QUOTE REVIEW OF RECENT ACTS OF UNLAWFUL INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION UNQUOTE, (II) TO CONFINE COUNCIL CONSIDERATION TO NOTING RECORD

OF THESE EVENTS AND REACTIONS THEY HAVE PROVOKED (IATA EIGHT POINT PROGRAM, ISRAELI PROPOSALS, U.S. PROPOSALS, HOPE-FULLY SPECIFIC PROPOSALS BY OTHERS), AND (III) TO DECIDE TO REFER ALL PROPOSALS AND DOCUMENTATION TO COMMITTEE ON UNLAWFUL INTERFERENCE, WHILE INVITING FURTHER NATIONAL CONTRIBUTIONS, DIRECTING THAT COMMITTEE PROCEED IMMEDIATELY TO CONDUCT THOROUGH EXAMINATION OF EXISTING MEASURES AND POSSIBLE NEW MEASURES AND REPORT BACK TO COUNCIL NOT LIMITED OFFICIAL USE

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LATER THAN (SOME DATE THIS SPRING) ITS RECOMMENDATIONS FOR STRENGTHENING ICAO MEASURES.

(E) WE BELIEVE STRICTLY PROCEDURAL INITIAL ACTION BY COUNCIL AT THIS POINT, AS LAYED OUT IN PARA 3(D) ABOVE, WOULD HELP INSURE THAT UNDERTAKING PROCEEDS ON TECHNICAL COURSE. WE BELIEVE ANY SUBSTANTIVE EXCHANGE IN COUNCIL SHOULD BE DISCOURAGED UNTIL COUNCIL HAS BEFORE IT WELL-FOUNDED EVIDENCE OF UNLAWFUL INTERFERENCE.

4. TEXT OF U.S. NOTE SETTING FORTH SPECIFIC U.S. PROPOSALS IS CONTAINED IN SEPTTEL. U.S. REPRESENTATIVE SHOULD REVIEW NOTE WITH COUNCIL PRESIDENT BEFORE SUBMITTING IT FOR CIRCULATION, BUT SHOULD PROCEED TO DO SO UNLESS COUNCIL

PRESIDENT EXPRESSES IMPORTANT PROCEDURAL RESERVATIONS IN LIGHT OF OVERALL APPROACH U.S. IS TAKING. THESE SHOULD BE REPORTED PROMPTLY. IT SHOULD BE EMPHASIZED TO COUNCIL PRESIDENT AND OTHER COUNCIL REPRESENTATIVES THAT U.S. PROPOSAL IS QUITE SEPARATE INITIATIVE FROM THAT OF ISRAEL, AND THAT U.S. IS URGING OTHER COUNCIL MEMBERS TO COME FORWARD WITH FURTHER PROPOSALS OF THEIR OWN IN LIGHT OF THEIR EXPERIENCES WITH UNLAWFUL INTERFERENCE. IN VIEW OF

THIS, COUNCIL PRESIDENT SHOULD BE URGED TO HAVE ALL PROPOSALS TAKEN UP BY COUNCIL UNDER SUCH BROAD RUBRIC AS WE SUGGEST IN PARA 3(D) ABOVE.

5. U.S. REPRESENTATIVE SHOULD EXPLORE PROSPECTS FOR MESHING THOROUGH STUDY WE PROPOSE INTO WORK PROGRAM OF COMMITTEE ON UNLAWFUL INTERFERENCE AND COUNCIL IN ACCELERATED WAY WHICH WE BELIEVE PRIORITY OF PROBLEM REQUIRES.

6. IN ANY FURTHER CONVERSATIONS WITH ISRAELI OFFICIALS, U.S. REPRESENTATIVE SHOULD REITERATE AS APPROPRIATE, AND BE GUIDED BY, POINTS DEPARTMENT HAS MADE TO ISRAELI EMBASSY HERE AND TO GOI IN TEL AVIV (REFTELS B, C, E, AND F). KISSINGER UNQUOTE KISSINGER

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## Message Attributes

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